IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

WP(C).No. 28815 of 2007(E)

PETITIONER:

M/S.JOHN PLASMET (P) LTD.,
PLOT NO.33, INDUSTRIAL ESTATE AREA,
KALAMASSERY SOUTH, KOCHI,
REPRESENTED BY ITS MANAGING DIRECTOR,
SHRI VINOD THOMAS.

BY ADV. SRI.K.JAYAKUMAR
SRI.P.B.KRISHNAN

RESPONDENTS:

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1. THE SECRETARY TO GOVERNMENT OF KERALA,
DEPARTMENT OF INDUSTRIES, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF INDUSTRIES AND
COMMERCE, THIRUVANANTHAPURAM.

3. THE GENERAL MANAGER,
DISTRICT INDUSTRIES CENTRE,
GANDHI NAGAR, ERNAKULAM.

BY GOVT. PLEADER SRI. I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C). NO. 28815 OF 2007

Dated this the 4th day of October, 2007

J U D G M E N T

The issue raised in this writ petition relates to the cancellation of the order of allotment of an industrial plot which was allotted to the petitioner. The unit was under attachment by the Sales Tax Department. While so, Ext.P4 notice is stated to have been issued by the respondents proposing to cancel the allotment and to resume the land. While the petitioner contends that the notice was not served on it. It would appear that the proceedings culminated in an order dated 18.8.07 cancelling the allotment and resuming the plot. The petitioner complains that the same was without notice to it and therefore petitioner filed Ext.P5 before the 3rd respondent seeking review of the order dated 18.8.07. It has also expressed its willingness to clear the defaulted arrears of instalments.

2. In the nature of the relief that is sought by the petitioner, I do not consider it necessary to issue notice to the respondents. I dispose of the writ petition directing the 3rd respondent to consider and pass orders on Ext.P5, as expeditiously as possible, at any rate, within six weeks from the date of receipt of a copy of this judgment. In the meantime status quo with regard to the plot as on today shall be maintained on the petitioner remitting the aforesaid defaulted instalments within two weeks from today.

Petitioner shall produce a certified copy of this judgment along with a copy of the writ petition before 3rd respondent for compliance.

ANTONY DOMINIC, JUDGE

vps